

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

MENDESI LAMONT FORTE
and SHARKA SMOUTHERSON,

Plaintiffs,

v.

DETECTIVE P.O. TIERNEY,
DETECTIVE M.S. SELLERS,
and DETECTIVE J.P. McCLASKEY,

Defendants.

1:06CV00023

ORDER and JUDGMENT


OSTEEN, District Judge

For the reasons set forth in the memorandum opinion entered contemporaneously herewith,

IT IS ORDERED AND ADJUDGED that Defendants' Amended Motion to Dismiss [8] is granted without prejudice.

IT IS FURTHER ORDERED AND ADJUDGED that Defendants' Motion for Judgment on the Pleadings [6] is denied as moot.

This the 11th day of July 2006.


United States District Judge